

Exhibit O

SUPREME COURT OF NEW YORK
COUNTY OF NEW YORK

Z & J LLC d/b/a APPEALTECH,

Plaintiff,

v.

LAURENCE MYNES, COUNSEL PRESS
INC., GLADSTONE INVESTMENT
CORPORATION, GLADSTONE
MANAGEMENT CORPORATIONS,
GLADSTONE ADMINISTRATION, LLC
AND JONATHAN WALLACH,

Defendants.

LAURENCE MYNES AND JONATHAN
WALLACH,

Counterclaim Plaintiffs,

v.

Z & J LLC d/b/a APPEALTECH AND
MICHAEL KESTAN, Jointly and
Severally,

Counterclaim Defendants.

NYSCEF CASE

Hon. Doris Ling-Cohan, J.S.C

No. 650620/2018

NOTICE OF DEFENDANTS LAURENCE MYNES AND JONATHAN WALLACH'S
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and
Douglas Lipsky's Affirmation, and upon all prior pleadings and proceedings had herein,
Defendants Laurence Mynes Jonathan Wallach will move before Motion Submission Part
in Room 130 at the Courthouse located at 60 Centre Street, New York, New York, on
October 10, 2018 at 9:30 a.m. or so soon thereafter as counsel may be heard, for an Order
(i) dismissing Counts One, Two, Five, Six and Seven of the First Amended Complaint as

a matter of law under C.P.L.R. § 3211, and (ii) such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to C.P.L.R. § 2214(b), answering pleadings, if any, shall be served upon Lipsky Lowe LLP on or before October 3, 2018.

PLEASE TAKE FURTHER NOTICE that, Defendants Mynes and Wallach shall serve reply pleadings, if any, on or before October 9, 2018.

Dated: New York, New York
September 18, 2018

LIPSKY LOWE LLP

s/ Douglas B. Lipsky
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